

Remarks/Arguments:

The specification has been amended to remove inconsistencies. No new matter has been added.

Claims 1-7 and 9-10 are pending. Claim 8 has been cancelled. New claim 11 has been added.

Claims 1-7 and 9-10 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Sozaburo (JP-2003-226227) and Hidenori (JP-2003-237504). Claim 1 is amended to recite features neither disclosed or suggested by the prior art, namely,

... seat shifting means for shifting said specific seat to a position based on said position information;
wherein the image is taken **after** said specific seat is shifted to said position. (Emphasis added).

Applicants' exemplary embodiment includes seat shifting means 15 for shifting the drivers seat to a first position. (Fig. 4, step S2), After the driver's seat is shifted, an image of the driver's face is taken and compared with stored information to verify the driver. (Fig. 4, steps S3 and S4). That is, Applicant's invention takes the image **after** said specific seat is shifted to said position. Thus, Applicant's invention discloses "...the image is taken **after** said specific seat is shifted to said position.

Sozaburo takes an image of a person's face. If the image is different than the registered image, then the person is **not** permitted to use the vehicle (Steps 50-70 of Fig. 2). Sozaburo does not disclose or suggest shifting vehicle components (i.e. seat) of any kind. Thus, Sozaburo does not disclose or suggest "...the image is taken **after** said specific seat is shifted to said position," as recited in claim 1.

Hidenori takes a photograph a person's driver's license. The information contained in the photograph is compared with stored information to identify a driver 3. Vehicle components (i.e. seat 4, steering wheel 5) are then adjusted to a condition to suit the driver 3. (Paragraphs. [0050]-[0051]). That is, the photograph is taken **before** the vehicle components are adjusted. Thus, Hidenori also does not disclose "...the image is taken **after** said specific seat is shifted to said position," as recited in claim 1. This gives Applicant's invention an

advantage because the driver's seat is adjusted before the image is taken to improve the accuracy of the image. (Page 11, lines 18-20).

Thus, Applicants respectfully submit that claim 1 is allowable over the art of record. Claims 2-7 and 9-10 ultimately depend from claim 1. Accordingly, claims 2-7 and 9-10 are likewise allowable over the art of record.

In view of the foregoing amendments and remarks, Applicants submit that this Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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